

SUBSTANCE OF INTERVIEW

On June 26, 2006, Applicants' representative, Ronald Schoenbaum, conducted a telephone interview with Examiner John Van Bramer to discuss the outstanding Office Action. During the interview, Mr. Schoenbaum walked through a new proposed independent claim, and explained how the claim is distinct from U.S. Patent Nos. 6,356,879, 6,029,141, and 6,963,850. No exhibits were shown, and no agreement was reached. In connection with the discussion of U.S. Patent 6,356,879 to Aggarwal et al., Mr. Schoenbaum pointed out that Aggarwal et al.'s clusters of users are not formed based on the web sites (if any) that referred the users to the e-commerce site; rather, these clusters are formed based on the users' actions performed during browsing of the e-commerce site, and particularly their product browsing and buying actions.

REMARKS

By the foregoing amendments, Applicants have rewritten the claims as discussed during the interview. Newly added Claim 38 is substantially identical to the claim discussed during the interview.

Applicants have also made minor revisions to the specification to improve its readability. The amendments to the specification are fully supported by the following portions of the originally-filed application, as well as others: page 11, lines 3-17; page 33, lines 1-31 (and the remainder of the appendix), and originally-filed Claim 11.

Applicants submit that the amended claims are patentably distinct from the art of record, including the art submitted in the Information Disclosure Statement filed on June 20, 2006. For example, with respect to independent Claim 38, Applicants submit that the art of record does not teach or suggest “identifying a group of users referred to the target web site by a selected subset of said plurality of referring web sites,” in combination with “identifying a set of items that correspond to group preferences of said group of users … based on the collected user activity data of both the members and the non-members of said group of users.”

With respect to independent Claim 53, Applicants submit that the art of record does not teach or suggest, e.g., “a recommendations service configured to (a) identify a group of users that have been referred to the target site by a selected subset of the referring sites, (b) analyze the user activity data of both members and non-members of said group to identify a set of items that are significantly more popular in the group than in a general user population of the target site, and (c) cause the identified set of items to be suggested to users that visit a referring site in said subset of referring sites.”

In connection with the foregoing limitations, Aggarwal et al. (U.S. Pat. 6,356,879) does not teach or suggest the identification of a group of users that have been referred to a target site by a selected subset of referring sites. Indeed, there is no disclosure in Aggarwal et al. of referring web sites. Instead, Aggarwal et al.’s system clusters users based on the product browsing/buying activities of the users as monitored on a particular e-commerce site.

Bezos et al. (U.S. Pat. 6,029,141) does not overcome this deficiency in Aggarwal et al. In this regard, the Examiner contends that it would have been obvious to incorporate an affiliate referral program as described in Bezos et al. into a merchant web site that includes a

recommendation system as disclosed in Aggarwal et al. Office Action at page 7, first paragraph. Even if such a combination were made, however, it does not follow that users would be grouped or clustered, for purposes of generating recommendations, based on the sites from which they are referred. Indeed, nothing in either reference suggests such a mode of operation. Rather, the users (including those referred from other web sites) would presumably be clustered based on their product browsing/buying activities at the merchant web site, as disclosed in Aggarwal et al.

Applicants also respectfully submit that the Examiner has not identified a teaching, suggestion or motivation to combine Aggarwal et al. with Bezos et al. In this regard, even if it would have been obvious in general to incorporate an affiliate referral program into a merchant web site of the type described in Aggarwal et al, it does not follow that a teaching, suggestion or motivation exists to specifically combine the teachings of Aggarwal et al. and Bezos et al.

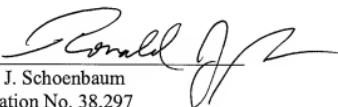
In view of the foregoing amendments and remarks, Applicants submit that the new claims are patentably distinct from the art of record.

If any issues remain that can potentially be resolved by telephone, the Examiner is invited to call Applicants' representative at his direct dial number listed below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8-7-06

By: 
Ronald J. Schoenbaum
Registration No. 38,297
Attorney of Record
Customer No. 20,995
(949) 721-2950